

NEWPORT BEACH ZONING ADMINISTRATOR MINUTES
Council Chambers – 3300 Newport Boulevard
Wednesday, September 26, 2012
REGULAR HEARING
3:30 p.m.

A. CALL TO ORDER – The meeting was called to order at 3:30 p.m.

Staff Present: Patrick Alford, Acting Zoning Administrator
Benjamin Zdeba, Assistant Planner
Melinda Whelan, Assistant Planner

B. MINUTES of September 12, 2012

Action: Continued

C. PUBLIC HEARING ITEMS

ITEM NO. 1 Cucina Alessa Alcohol Minor Use Permit No. UP2012-017 (PA2012-100)
6700 W. Coast Highway CD 2

Benjamin Zdeba, Assistant Planner, provided a brief project description and noted that the project site has been operating as a restaurant since 1976 and the proposed change to the alcoholic beverage control license will not change the operational characteristics. Mr. Zdeba stated there will be no change to the floor plan or existing hours of operation and further noted that the applicant had reviewed the conditions of approval and was available to answer any questions.

Acting Zoning Administrator Patrick Alford questioned the applicant as to why there is a need to change the type of alcohol license and also requested information regarding the responsible beverage service training of the Cucina Alessa employees.

Michael Cho, Esq. representing the applicant, reiterated that the restaurant would not be changing the hours of operation, floor plan, or any other operational characteristics. He further stated the change in license type is necessary to offer the amenity of distilled spirits to its customers. Mr. Cho stated the employees of the restaurant are trained to not only serve alcohol responsibly, but also to maintain control of the noise emitted from the outdoor areas of the restaurant.

The Acting Zoning Administrator opened the public hearing.

Dan Purcell, resident, expressed concern with respect to the proposed change in alcohol license type related to overconcentration, safety, and lack of regulation.

Acting Zoning Administrator Patrick Alford closed the public hearing. Mr. Alford expressed agreement with the information presented in the revised resolution and approved the application as submitted.

Action: Approved

ITEM NO. 2 Radiant Hot Yoga Minor Use Permit No. UP2012-018 (PA2012-101)
1200 Bison Avenue, C-1 CD 4

Melinda Whelan, Assistant Planner, provided a brief project description noting that the parking would be provided by the shared parking lot for the shopping center and that staff had added additional facts in support of the required findings to the draft resolution which the applicant had reviewed along with the conditions of approval and was in agreement with the proposed conditions and had no questions.

Acting Zoning Administrator Patrick Alford questioned the applicant as to the details of the hot yoga operation, including the parking and how the sound coming from the studio would be mitigated. Mrs. Dearen, owner of Radiant Hot Yoga and applicant, explained her operation. Eric Kough, architect representing the applicant, explained the design of the studio would provide a reception area separating an enclosed studio area. The enclosed studio within the suite would provide a buffer for noise. Additionally, it was explained that any music played within the studio area would not be very loud and further noted that the music would be more of a meditative type of music. Mr. Kough also explained that the parking layout of the existing shopping center provides adequate circulation and parking for the proposed operation.

The Acting Zoning Administrator opened the public hearing and seeing that no one from the public wished to speak on this item, closed the public hearing. Mr. Alford expressed agreement with the information presented in the revised resolution and approved the application as submitted.

Action: Approved

D. PUBLIC COMMENTS ON NON-AGENDA ITEMS

None.

ADJOURNMENT

The hearing was adjourned at 3:52 p.m.

The agenda for the Regular Hearing was posted on September 20, 2012, at 2:25 p.m. on the City Hall Bulletin Board located outside of the City of Newport Beach Administration Building and on the City's website on September 20, 2012, at 3:01 p.m.

Patrick J. Alford, Acting Zoning Administrator